

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

Bail Appl..No. 7242 of 2007()

CRIME NO.602/2007 OF PEROOKKADA POLICE STATIN

PETITIONER/4TH ACCUSED (UNDER CUSTODY)

NAZIR, AGED 21 YEARS, S/O.ABUBAKER
KATTACHAKKONAM MELE PUTHENVEEDU,
PALLIMUKKU, PEYADU P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.THIRUMALA P.K.MANI

RESPONDENT: STATE

1. THE SUB INSPECTOR OF POLICE,
PEROORKADA POLICE STATION,
THIRUVANANTHAPURAM.
2. THE SUB INSPECTOR OF POLICE,
CHALAKKUDI POLICE STATION,
CHALAKKUDI.
3. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.

BY P.P.SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27/11/2007 ALONG WITH B.A.NO.7253/07, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

.....
B.A. Nos. 7242 and 7253 OF 2007
.....

Dated this the 27th day of November, 2007

O R D E R

These applications for regular bail are filed by the same petitioner. The Peroorkada police on 25.10.07 arrested the petitioner and some others under suspicious circumstances and registered crime No.600/07 of Peroorkada Police Station under section 41(1)(d) I.P.C. The interrogation of the arrested persons led the police to the conclusion that they were involved in other crimes. It was realised that the petitioner is the 4th accused in crime No.593/07 of Chalakudy Police Station registered earlier on 20.9.07. The same relates to theft of a car. In respect of that crime, B.A.7242/07 has been filed.

2. It was further realized that crime No.1101/07 of Kollam East Police Station relating to theft of a car was also registered on 21.10.07. The vehicle which was seized from the arrested persons in crime No.600/07 of Peroorkada Police Station is the vehicle which is allegedly involved in crime No.1101/07 of Kollam East Police Station. The arrest of the petitioner has been

recorded in both the Chalakudy and Kollam East Police Station crimes. The petitioner continues in custody from the date of arrest i.e., 25.10.07.

3. The learned counsel for the petitioner submits that the petitioner is innocent. Even if the allegations were accepted in toto, the petitioner was not actually involved in the commission of the offence of theft but he had only dealt with the stolen vehicle after the theft was committed. In these circumstances, the learned counsel for the petitioner prays that the petitioner may now be directed to be enlarged on bail in both crimes.

4. The learned Public Prosecutor opposes the applications vehemently. The learned Public Prosecutor submits that the investigation is at a very early stage. The other accused in the two crimes has not been arrested. The investigators may be given reasonable time to complete the investigation. The petitioner may not be released on bail at this early stage of investigation, submits the learned Public Prosecutor.

5. Having considered all the relevant inputs, I am satisfied that the petitioner does not deserve to be enlarged on bail at this early stage of investigation. In crimes like this, I agree with the

Public Prosecutor, that the investigator must be given reasonable time to complete the investigation.

6. In the result, this petition is dismissed but I may, however, hasten to observe that the petitioner shall be at liberty to move this court for bail again at later stages of the investigation not, at any rate, prior to 17/12/2007. The police shall make every endeavour to complete the investigation by then.

(R.BASANT, JUDGE)

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